

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: Waverly A. Davis, Debtor

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Case No. 15-31643-KRH  
Chapter 13

**OBJECTION TO CONFIRMATION**

COMES NOW Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan (the "Plan") dated November 16, 2018, for the cause as follows:

1. The Debtor filed this Chapter 13 Petition, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division, on March 28, 2015 under 11 U.S.C. Chapter 13.
2. The Debtor has proposed three prior Chapter 13 Plans, two of which have been confirmed. The most recent confirmed Plan was filed February 10, 2017, and confirmed by Order entered March 30, 2017 (the "previous Plan").
3. This Objection is filed pursuant to 11 U.S.C. § 1325(b)(1)(B).
4. The above-filed Plan is not eligible for confirmation due to the Debtor's failure to accurately describe her household income and expenses. The Schedules I and J filed with the instant Plan appear identical to those filed with the Debtor's previous Plan, as well as her initial Plan, filed March 28, 2015, more than three years ago.
5. The Trustee requests the Debtor provide copies of all paystubs received in the three months prior to filing the instant Plan, and file amendments to Schedules I and J reflecting any and all changes to her household budget.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, respectfully moves the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan, and for such further and other relief as the Court deems necessary.

Date: December 17, 2018

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for  
Suzanne E. Wade, Chapter 13 Trustee

**Elizabeth C. Brogan**

Counsel for Suzanne E. Wade, Chapter 13 Trustee  
Virginia State Bar Number 76539  
1313 East Main Street, Suite A  
Post Office Box 1780  
Richmond, Virginia 23218-1780  
(804) 775-0979

**CERTIFICATE OF SERVICE**

I hereby certify a true copy of the foregoing OBJECTION TO CONFIRMATION was served electronically or by first-class mail, postage prepaid, this 17th day of December, 2018, upon the following parties:

Waverly A. Davis  
12427 Poole Siding Road  
Church Road, VA 23833

Brian K. Stevens, Counsel for Debtor  
America Law Group  
2469 Boulevard  
Colonial Heights, VA 23834  
[bkstevens1534@gmail.com](mailto:bkstevens1534@gmail.com)

Sara A. John, Counsel for Americredit Financial Services, Inc.  
M. Richard Epps, P.C.  
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Karl A. Moses, Jr., Counsel for U.S. Bank Trust National Association  
BWW Law Group LLC  
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Johnie Rush Muncy, Nisha Ryan Patel; Counsel for MTGLQ Investors, LP  
Samuel I. White, P.C.  
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[jmuncy@siwpc.com](mailto:jmuncy@siwpc.com); [npatel@siwpc.com](mailto:npatel@siwpc.com)

William M. Savage,  
Counsel for U.S. Bank Trust National Association, Towd Point Master Funding Trust  
Shapiro & Brown LLP  
10021 Balls Ford Road, Suite 200  
Manassas, VA 20109  
[vabecf@logs.com](mailto:vabecf@logs.com)

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for  
Suzanne E. Wade, Chapter 13 Trustee

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Counsel for Suzanne E. Wade, Chapter 13 Trustee  
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UNITED STATES BANKRUPTCY COURT  
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In re: Waverly A. Davis, Debtor

12427 Poole Siding Road  
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XXX-XX-0394

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Case No. 15-31643-KRH  
Chapter 13

**NOTICE OF OBJECTION TO CONFIRMATION**

Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, has filed papers with the Court objecting to the confirmation of your Chapter 13 Plan dated November 16, 2018.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

If you do not want the Court to grant the relief sought in the Objection, or if you want the Court to consider your views on the Objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

X File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough that the Court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, Virginia 23219

You must also mail a copy to:

Elizabeth C. Brogan  
Counsel for Suzanne E. Wade, Chapter 13 Trustee  
Post Office Box 1780  
Richmond, Virginia 23218-1780

X Attend the hearing on the Objection, scheduled to be held on **January 2, 2019** at **11:10 a.m.** at **United States Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, VA 23219.**

**Elizabeth C. Brogan**  
Counsel for Suzanne E. Wade, Chapter 13 Trustee  
Virginia State Bar Number 76539  
1313 East Main Street, Suite A  
Post Office Box 1780  
Richmond, Virginia 23218-1780  
(804) 775-0979

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection, and may enter an order granting that relief.

Date: December 17, 2018

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for  
Suzanne E. Wade, Chapter 13 Trustee

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**Elizabeth C. Brogan**  
Counsel for Suzanne E. Wade, Chapter 13 Trustee  
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[vabecf@logs.com](mailto:vabecf@logs.com)

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for  
Suzanne E. Wade, Chapter 13 Trustee

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